

AG Contract No : KR094-0103TRN  
ADOT ECS File No : JPA 93-088  
**Amendment One**  
Project No : STP-CMV-0(1)P  
Section: Montezuma Castle/SR 260  
TRACS: SS306 01C  
Budget Source Item No :

**AMENDMENT NO. ONE (1)**  
**INTERGOVERNMENTAL AGREEMENT**

BETWEEN  
THE STATE OF ARIZONA  
AND  
THE TOWN OF CAMP VERDE

**THIS AMENDMENT**, is entered into this date 7th of January 2005, Amendment One to JPA 93-088, AG Contract No. KR94-0103TRN, filed with the Secretary of State under No. 18356, pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the TOWN OF CAMP VERDE, acting by and through its MANAGER and TOWN COUNCIL, (the "Town").

**I. RECITALS**

1. The State is empowered by Arizona Revised Statutes Section 28-401 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.

2. The Town is empowered by Arizona Revised Statutes Section 9-240 Town to enter into this Agreement and has by resolution a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the Town.

**Article I, Paragraph 3 is deleted and replaced in full as follows:**

3. The State and Town are in mutual agreement for the State to abandon a section of right-of-way and maintenance responsibilities for the street lighting and traffic signal at the intersection of State Route 260 and Montezuma Castle Bypass to the Town of Camp Verde. The Town will accept the ownership and maintenance responsibilities for the street lighting and traffic signal located within the right-of-way limits milepost 219.22 - 221.2 as shown on the Exhibit attached hereto and made a part hereof.

**THEREFORE**, in consideration of the mutual covenants expressed herein, this Agreement is amended as follows:

NO. 18356  
Filed with the Secretary of State  
Date Filed: 01/07/05

Janice K. Brewer  
Secretary of State

By: Vicky D. Graenewald

#01

**Paragraph 4 has been added to the following language:**

4. Upon completion of re-routing State Route 260 through the Town of Camp Verde, the parties agree the State will, with the approval of the State's Transportation Board, abandon right-of-way ownership jurisdiction and maintenance responsibilities of street lighting and a traffic signal at the intersection of State Route 260 (Main Street) and Montezuma Castle Bypass to the Town. Upon completion of re-routing State Route 260, approval of and by resolution of the State's Transportation Board, the Town, will accept ownership jurisdiction, maintenance and electrical responsibilities for the street lighting and traffic signal located at the intersection of State Route 260 (Main Street) and Montezuma Castle Bypass.

**II. SCOPE OF WORK**

Article II, Paragraphs 9,10 and 11 are added as follows:

9. Upon completion of the re-routing State Route 260 through the Town of Camp Verde, and with the approval of the State's Transportation Board, abandon right-of-way ownership jurisdiction, maintenance and electrical responsibilities for the street lighting and traffic signal at the intersection of State Route 260 (Main Street) and Montezuma Castle Bypass to the Town.

10. Upon completion of the re-routing State Route 260, approval of and by resolution of the State's Transportation Board, the Town will accept ownership jurisdiction, maintenance and electrical responsibilities for the street lighting and traffic signal at the intersection of State Route 260 (Main Street) and Montezuma Castle Bypass.

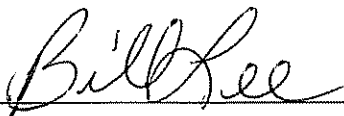
11. Waive the requirements of Arizona Revised Statute 28-7209 upon acceptance of ownership jurisdiction, maintenance and electrical responsibilities for the street lighting and traffic signal.

**EXCEPT AS AMENDED herein**, all other terms and conditions of the original Agreement remain in full force and effect.

---

**TOWN OF CAMP VERDE**

By

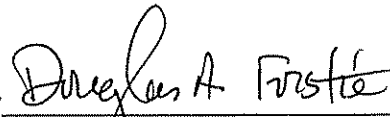


Town Manager

**STATE OF ARIZONA**

Department of Transportation

By



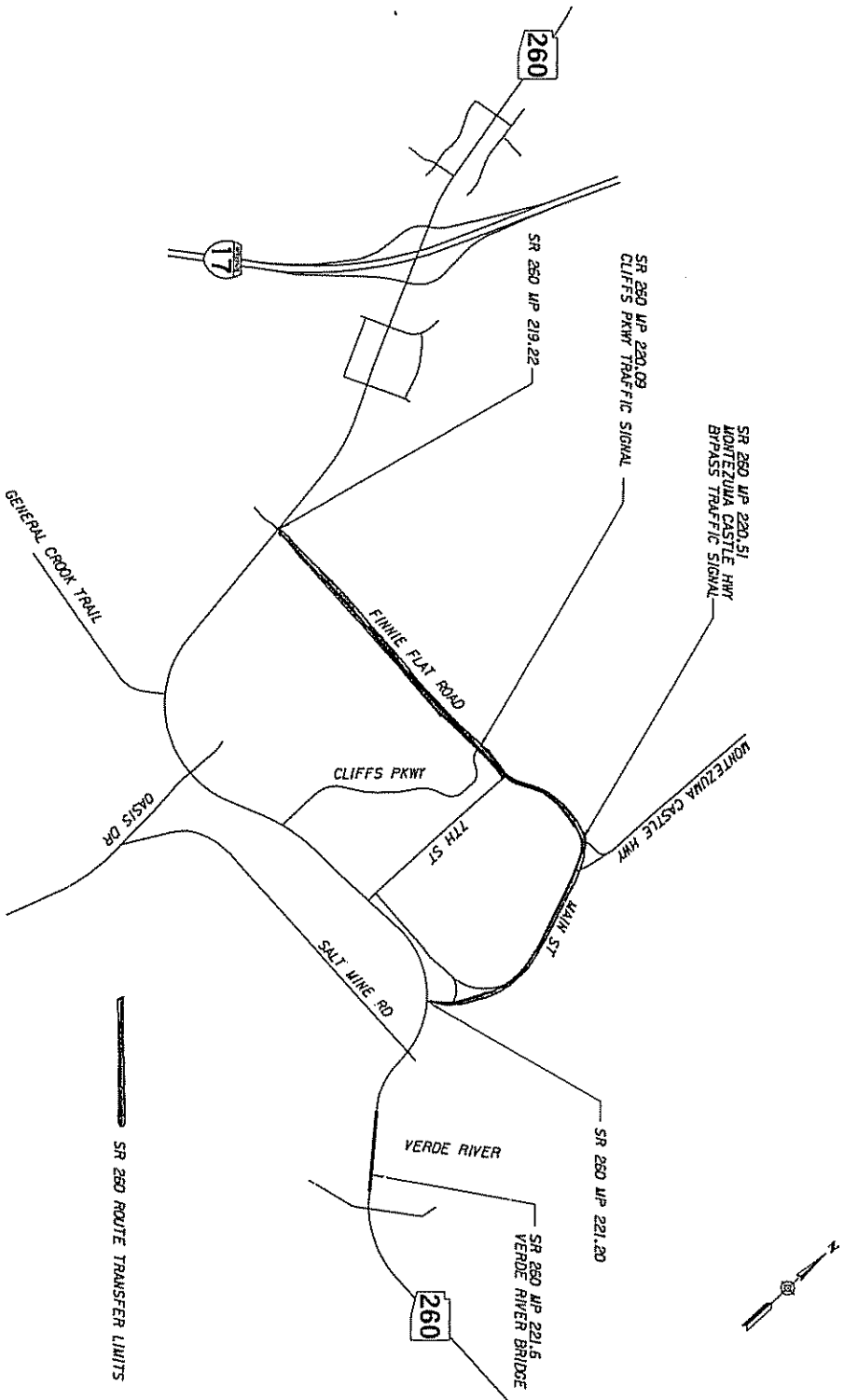
DOUGLAS A. FORSTIE P.E.  
Deputy State Engineer, Operations

**ATTEST**

By



DEBORAH BARBER  
Town Clerk



ARIZONA DEPARTMENT OF TRANSPORTATION  
SR 260 ROUTE TRANSFER  
EXHIBIT 'A'

**ACTIONS TAKEN  
REGULAR SESSION/COUNCIL HEARS PLANNING & ZONING  
MAYOR and COMMON COUNCIL  
TOWN OF CAMP VERDE  
COUNCIL CHAMBERS  
WEDNESDAY, DECEMBER 15, 2004  
at 6:30 P.M.**

4. **Consent Agenda** — All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.

**a) Approval of the Minutes:**

- 1) Joint Special Session — December 3, 2004
- 2) Regular Session — December 1, 2004
- 3) Special Session — December 1, 2004
- 4) Special Session — November 24, 2004
- 5) Joint Special Session — November 17, 2004

**b) Set Next Meeting, Date and Time:**

- 1) Council Hears Planning & Zoning — December 22, 2004 — **CANCELLED**
- 2) Regular Session — January 5, 2005 at 6:30 p.m.
- 3) Regular Session — January 19, 2005 at 6:30 p.m.
- 4) Council Hears Planning & Zoning — January 26, 2005 at 6:30 p.m.

On a motion by Reddell, seconded by Baker, the Council unanimously approved the Consent Agenda, with the following correction to the Regular Session Minutes of December 1, 2004: Page 4, first paragraph under Council Discussion, 13<sup>th</sup> line, following the words "....General Plan is in place it may be updated ....., " delete, "at any time,...."

5. **Call to the Public for Items not on the Agenda.**

There was no public input.

6. **Discussion, consideration, and possible approval of Amendment One to the Intergovernmental Agreement with ADOT, SR-260 Frontage Roads.**

On a motion by Teague, seconded by Reddell, the Council unanimously accepted and approved the amended Intergovernmental Agreement with ADOT, SR-260 Frontage Roads, AG Contract No. KR00-2046TRN.

- \* 7. **Discussion, consideration, and possible approval of Amendment #1 to ADOT Contract JPA 93-088. This amendment allows ADOT to abandon a section of right-of-way ownership jurisdiction and maintenance responsibilities of street lighting and a traffic signal at the intersection of State Route 260 (Main Street) and Montezuma Castle Highway.**

On a motion by Teague, seconded by Baker, the Council unanimously accepted and approved AG Contract No. KR094-0103TRN, Amendment One, Contract JPA93-088.

8. **Discussion, consideration, and possible approval of Amendment #1 to ADOT Contract JPA 95-0258. This amendment allows ADOT to abandon a section of right-of-way ownership jurisdiction and maintenance responsibilities of street lighting and a traffic signal at the intersection of State Route 260 (Finnie Flat) and Cliffs Parkway.**

On a motion by Reddell, seconded by Baker, the Council voted 6-1 to approve ADOT Contract No. KR095-1810TRN, Amendment One to Contract JPA 95-025; with a 'no' vote by Gioia.

9. **Discussion, consideration, and possible approval and appointment of Court Supervisor Jacque P. Daughety, adding Assistant Magistrate duties and further appointing Duane Wyles and Michael Bluff as Assistant Magistrates for a two to four year term.**

On a motion by Dickinson, seconded by Gioia, the Council unanimously approved the appointment of Jacque Daughety, Duane Wyles and Michael Bluff as Assistant Magistrates, in addition to Jacque Daughety's Court Supervisor position, that it be for a two-year period, and

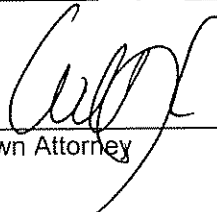
JPA 93-088

**Amendment One**

APPROVAL OF THE TOWN OF CAMP VERDE

I have reviewed the above referenced proposed Intergovernmental Agreement, between the DEPARTMENT OF TRANSPORTATION, TRANSPORTATION PLANNING DIVISION, and THE TOWN OF CAMP VERDE and declare this Agreement to be in proper form and within the powers and authority granted to the Town under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this 15<sup>th</sup> day of December, 2004.

  
\_\_\_\_\_  
Town Attorney



TERRY GODDARD  
ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL  
STATE OF ARIZONA

TRANSPORTATION SECTION  
WRITER'S DIRECT NO: 602.542.8837

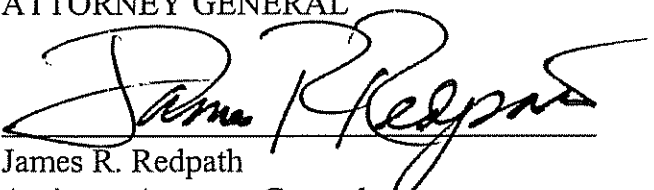
**INTERGOVERNMENTAL AGREEMENT**  
**DETERMINATION**

A.G. Contract No. KR94-0103-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

Date: 29 December 2004

Terry Goddard  
ATTORNEY GENERAL

  
James R. Redpath  
Assistant Attorney General  
Transportation Section

JRR:djd:780214